



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/924,960	08/08/2001	Felix A. Levinzon	1575.2003-001	2004

7590 01/15/2003

Robert T. Conway, Esq.  
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
Two Militia Drive  
Lexington, MA 02421-4799

EXAMINER

CHAPMAN JR, JOHN E

ART UNIT	PAPER NUMBER
----------	--------------

2856

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/924,960

Applicant(s)

LEVINZON, FELIX A.

Examiner

John E Chapman

Art Unit

2856

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 14-19, 33, 34 and 51-55 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11, 13, 20-32, 35-48, 50, 56 and 57 is/are rejected.
- 7) ☒ Claim(s) 12 and 49 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 5. 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 14-19, 33, 34 and 51-55 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made without traverse in Paper No. 7.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3, 13, 32 and 50 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 3, there is insufficient antecedent basis for "the linear region" or "the resonance frequency." Merely to recite "a sensor" in claim 1 does not provide adequate antecedent basis for the sensor having either a linear region or a resonance frequency.

Regarding claims 13, 32 and 50, the term "high impedance" is a relative term which renders the claim indefinite. The term "high impedance" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6, 13, 20-28, 32, 35-43, 50, 56 and 57 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Harms et al.

Harms et al. discloses a system for converting sensed force into electrical signals comprising a piezoelectric transducer 1, a high-pass filter 9 and a low-pass filter 10.

Regarding claim 4, low pass and high pass filters conventionally comprise an amplifier.

Regarding claim 5, the filters provide an offset signal by virtue of the DC offset (col. 11, lines 40-43).

Regarding claim 6, the filters are isolated by virtue of being in parallel circuits.

Regarding claims 13, 32 and 50, whatever the impedance of the filters, it may be deemed "high" relative to some other impedance.

6. Claims 1-4, 6, 13, 20-26, 28, 32, 35-41, 43, 50, 56 and 57 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Pflueg.

Pflueg discloses a system for converting sensed force into electrical signals comprising a sensor 60, and two filters 100 and 101 in Fig. 7B.

7. Claims 1-4, 6-11, 13, 20-26, 28-32, 35-41, 43-48, 50, 56 and 57 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Flechsig et al.

Flechsigs et al. discloses a system for converting sensed force into electrical signals comprising a piezoelectric transducer 610, a high-pass filter 632 and a low-pass filter 642.

Regarding claim 4, amplifiers 630 and 640 may be deemed part of low pass filter 632 and high pass filter 642.

Regarding claim 6, the filters are isolated by virtue of amplifiers 630 and 640.

Regarding claim 7, amplifier 640 comprises a buffer. It is noted that applicant uses a buffer 10 implemented as a unity gain operational amplifier.


Regarding claim 9, amplifiers intrinsically possess an impedance.

8. Claims 12 and 49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dunegan discloses a transducer for measuring acoustic emission events comprising a high pass filter 128 and a low pass filter 130.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Chapman whose telephone number is (703) 305-4920.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0956.

  
**JOHN E. CHAPMAN**  
**PRIMARY EXAMINER**